

REMARKS

Applicant respectfully requests that the foregoing amendments be made prior to examination. The amendments better conform the claims to U.S. practice and recite specific embodiments described throughout the application as filed. New claims 23-25 recite embodiments described, for example, at page 11. New claims 26-32 recite specific embodiments previously recited in the original claims. No new matter is introduced by these amendments. Upon entry of the amendments, claims 1-32 will be pending.

In response to the Restriction Requirement set forth in the Office Action mailed February 07, 2008, Applicant hereby provisionally elects the subject matter of **Group I** (oral pharmaceutical formulations) for examination in this application. Instant claims 1-11, 21, and 26-30 read on the elected subject matter.

This election is made with traverse to the extent that the restriction is based on a finding that the recited oral pharmaceutical formulations are not patentable over the prior art. While the Office Action cites WO 81/02671 for teaching a composition comprising a granulate of mesalazine, the cited reference does not teach or suggest a granulate comprising more than 60% by weight of mesalazine or a pharmaceutically acceptable salt thereof, as recited in the instant claims. To the contrary, at page 11, WO 81/02671 teaches the use of 250 g of mesalazine (5-ASA) to make 650 g of granulate, so that the granulate comprises less than 40% by weight mesalazine.

Non-elected claims 12-20 and 31-32 (directed to methods of manufacture) and non-elected claims 22-25 (directed to methods of use) are retained in the application because they are subject to rejoinder upon a finding of the patentability of the elected subject matter.

Applicant respectfully awaits examination of the application on its merits.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance prosecution.

Respectfully submitted,

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